



OF IFW \$1642
DOCKET NO: L0461.70125US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Old et al.
Serial No.: 10/054,683
Confirmation No.: 5148
Filed: January 22, 2002
For: CANCER-TESTIS ANTIGENS

Examiner: Misook Yu
Art Unit: 1642

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 21st day of July, 2005.


June Watson

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ **Information Disclosure Statement**
- ☒ **Form PTO-1449 and References Cited**
- ☒ **Return Receipt Postcard**

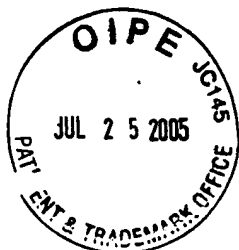
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed to cover the submission of the Information Disclosure Statement. Please charge any underpayment or credit any overpayment to Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: 
John R. Van Amsterdam, Reg. No. 40,212
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210
Telephone: (617) 646-8000

Docket No. L0461.70125US00
Date: July 21, 2005
xNDDx



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Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed after the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and is being filed on or before payment of an Issue Fee.

The Applicant hereby states, as specified in 37 C.F.R. §1.97(e), that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.

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The IDS processing fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant would like to bring to the Examiner's attention the enclosed search report from a corresponding International or Foreign National Application.

European Supplementary Partial Search Report from EP No. 02757869.9.

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

Serial No.: 10/054,683

Art Unit: 1651

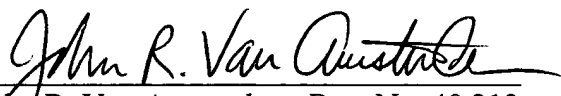
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

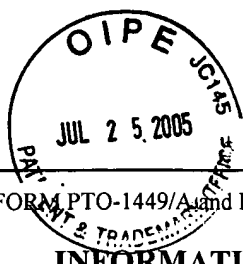
Respectfully submitted,


John R. Van Amsterdam, Reg. No. 40,212
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 646-8000

Docket No. L0461.70125US00

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FORM PTO-1449/A and B (Modified)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICATION NO.: 10/054,683

DOCKET NO.: L0461.70125US00

FILING DATE: January 22, 2002

Confirmation No.: 8463

APPLICANT: Old et al.

GROUP ART UNIT: 1642

EXAMINER: Misook Yu

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner's Initials#	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B1	WO	00/73801	A	Ludwig Institute for Cancer Research	12-07-2000	
	B2	WO	01/00874	A	Ludwig Institute for Cancer Research	01-04-2001	
	B3	WO	00/20587	A	Ludwig Institute for Cancer Research	04-13-2000	
	B4	WO	01/75171	A	Corixa Corporation	10-11-2001	
	B5	WO	01/34627	A	Human Genome Sciences, Inc.	05-17-2001	
	B6	WO	01/70804	A	Human Genome Sciences, Inc.	09-27-2001	
	B7	GB	2 361 238	A	Aeomica, Inc.	10-17-2001	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	C1	JAGER, et al., "Simultaneous humoral and cellular immune response against cancer-testis antigen NY-ESO-1: definition of human histocompatibility leukocyte antigen (HLA)-A2-binding peptide epitodes," Journal of Experimental Medicine, Vol. 187, No. 2, (January 19, 1998), pgs. 265-270	

EXAMINER

DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).